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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 GABRIEL SMITH,

11 Plaintiff,

12 CASE NO. C19-1003-RSL-MAT

13 v.

14 DREAM FORGE ENTERTAINMENT LLC,
15 et al.,

16 Defendants.

17 ORDER RE: FIRST MOTION TO
18 DISMISS AND AMENDED
19 COMPLAINT

20 Plaintiff initiated this matter with a complaint filed on June 27, 2019. (Dkt. 1.) Defendants
21 filed a Motion to Dismiss under Federal Rule of Civil Procedure 12(b)(6) in lieu of an answer.
22 (Dkt. 13.) Plaintiff responded to defendants' motion with an amended complaint (Dkt. 15), timely
23 submitted pursuant to Rule 15(a)(1)(B), as well as a response deeming defendants' motion moot
in light of the amended pleading (Dkt. 16). Defendants subsequently filed a Motion to Dismiss
the First Amended Complaint. (Dkt. 17.)

24 As plaintiff observes in the response to defendants' first motion, the filing of an amended
25 complaint supersedes the original complaint and renders it without legal affect. *Lacey v. Maricopa*

ORDER

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1 *Cnty.*, 693 F.3d 896, 927 (9th Cir. 2012); *see also see also Valadez-Lopez v. Chertoff*, 656 F.3d
2 851, 857 (9th Cir. 2011) (“[I]t is well-established that an amended complaint supersedes the
3 original, the latter being treated thereafter as non-existent.”). The Court, as such, herein STRIKES
4 as moot defendants’ first Motion to Dismiss. (Dkt. 13.) Defendants’ Motion to Dismiss the First
5 Amended Complaint (Dkt. 17) remains pending and will be addressed by the Court. The Clerk is
6 directed to send a copy of this Order to the parties.

7 DATED this 25th day of October, 2019.

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10 Mary Alice Theiler
United States Magistrate Judge